In re Application of:

Grotendorst and Neff

Application No. 09/461,646

Page 4

Filed: December 14, 1999

REMARKS

The Notice mailed November 4, 2005 states that the Response filed August 16, 2004 is not in compliance with 37 CFR § 1.121 for failing to properly designate claims 6-14 as canceled. Claims 1-4 and 6-14 were previously canceled without prejudice in the response to the Office Action dated July 8, 2002, which was filed September 30, 2002. Accordingly, Applicants submit this Response containing a complete listing of all claims indicating their status. In view of the Response filed herein, Applicants respectfully submit that all objection to the claims have been overcome. Therefore, entry of this Amendment is respectfully requested.

No fee is deemed necessary with the filing of this paper. However, the Commissioner is hereby authorized to charge any additional fees, or make any credits, to Deposit Account No. <u>07-1896</u> referencing the attorney docket number above.

Respectfully submitted,

PATENT

Attorney Docket No.: FIBRO1130-2

Date: November 15 2005

Lisa A. Haile, J.D., Ph.D. Registration No. 38,347 Telephone: (858) 677-1456

Facsimile: (858) 677-1465

DLA PIPER RUDNICK GRAY CARY US LLP 4365 Executive Drive, Suite 1100 San Diego, California 92121-2133 USPTO Customer No. 28213